IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 130 (SS) of 2007

Balwant Sing Rawat,
Son of Sri Kedar Singh Rawat,
Presently posted as Junior Engineer,
Uttarakhand Renewal Energy Development Agency
(UREDA)
District – Almora. **……..Petitioner.**

Versus

1. State of Uttarakhand, through Secretary Energy / Chairman UREDA, Government of Uttarakhand, Dehradun.
2. Senior Project Officer, Uttarakhand Renewal Energy Development Agency (UREDA), District – Nainital / Almora.
3. President, Uttarakhand Renewal Energy Development Agency, (UREDA), District – Dehradun.
4. Sri R.C. Pandey, Sr. Project Officer, Uttarakhand Renewal Energy Development Agency (UREDA), District – Nainital.

…….Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri B.N. Maulekhi, learned counsel for the petitioner, Sri N.P. Shah, learned standing counsel for State of Uttarakhand on behalf of respondent no. 1 and Sri V.B.S. Negi, learned counsel for respondent nos. 2 and 3.

By means of this writ petition, the petitioner has prayed to issue a writ, order or direction in the nature of Certiorari to quash the order dated 05.02.2007 passed by respondent no. 3 by which petitioner, who was working as Junior Engineer with Uttarakhand Renewal Energy Development Agency,

was suspended for certain charges and one Sri R.C. Pandey, Senior Project Officer, UREDA, District – Nainital has been appointed as Inquiry Officer.

Petitioner has challenged the suspension order on the ground that the person, who has made complaint against the petitioner, namely Sri R.C. Pandey – respondent no. 4 has been appointed as Inquiry Officer. Petitioner may approach respondent no. 3 and submit before him that respondent no. 4 is biased against the petitioner and as such, the Inquiry Officer may be changed, for this learned counsel for respondent nos. 2 and 3 has no objection.

Petitioner may approach respondent no. 3 for change of Inquiry Officer within a period of one week from today and the authority shall pass appropriate order on the application of petitioner. Inquiry Officer shall conclude the inquiry within a period of six weeks. In any case, final order shall be passed by the Disciplinary Authority within two months from the date of production of certified copy of this order.

With this direction the writ petition as well as stay application no. nill of 2007 is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

March 1, 2007
SKSharma